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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

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**MANUEL HILL,**

Plaintiff,

v.

**RODERICK HICKMAN, et al.,**

Defendants.

C 07-5125 JF

**[PROPOSED] ORDER  
GRANTING DEFENDANTS'  
MOTION TO STRIKE  
PLAINTIFF'S OPPOSITION  
TO DEFENDANTS' MOTION  
TO DISMISS, AND  
GRANTING DEFENDANTS'  
MOTION TO DISMISS FOR  
FAILURE TO OBEY  
COURT ORDERS  
AND PROSECUTE**

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Defendants Hickman and Horel (Defendants) moved this Court for an order striking Plaintiff's opposition to Defendants' motion to dismiss (Docket No. 10), and dismissing this action for failure to comply with court orders and to prosecute. After consideration and good cause appearing, IT IS HEREBY ORDERED that Plaintiff's opposition to Defendants' motion to dismiss is stricken as untimely, and this action is dismissed with prejudice.

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Dated: \_\_\_\_\_

**JEREMY FOGEL**  
United State District Judge